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Alliances, Trustees, and Presidents

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Eastern Illinois University

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Alliances, Trustees, and Presidents

By

Leo Welch

Vice Chairman, Board of Trustees

Eastern Illinois University

Presented at:

National Center for the Study of Collective Bargaining in

Higher Education and the Professions

City Universities of New York City

Graduate Center

April 9, 2013

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Academic Freedom, Free Speech and Shared Governance: A Trustees Viewpoint

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 - b. Appointment by Governor
 - c. Confirmation by the Senate

- II. Eastern Illinois University Law and Board Powers
 - a. Shared Governance
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- III. State Employee Ethics Act
 - a. Prohibited Political Activities
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- IV. Open Meetings Act
 - a. Public Comments at Board of Trustees Meetings
 - b. Free Speech Issues

Eastern Illinois University Law

July 1, 1995

110 ILCS 665/10-1

Powers and Duties of the Board of Trustees

1. To make rules regulation and bylaws...
2. To employ, and, for good cause, to remove a President of Eastern Illinois University, all administrators, faculty, and all other necessary employees...and contract with them on matters relating to tenure, salaries and retirement benefits...
3. To prescribe the course of study to be followed, and textbooks and apparatus to be used...
4. To issue upon the recommendation of the faculty, diplomas...or other degrees as the Board may deem appropriate.
5. To examine into the conditions, management, and administration of Eastern Illinois University...to provide the requisite buildings, apparatus, equipment and auxiliary enterprises...to fix and collect tuition and fees...to set salaries or compensation of the President and other employees of Eastern Illinois University which shall be a charge on the State Treasury.
6. To succeed and to administer all trusts and gifts...
7. To accept endowments of professorships...
8. To enter into contracts with the Federal government...
9. To contract with the Cooperative Computer Center...
10. To provide for receipt and expenditures of Federal funds...
11. To appoint members of the Eastern Illinois University Police Department. Police have the power to make arrests on view or warrants of violation of State statutes, University rules and regulations and city or county ordinances.
12. The Board may, directly or in cooperation with other institutions of higher education, acquire by purchase or lease or otherwise construct, enlarge, equip, lands and buildings...

The above is abbreviated and paraphrased for purpose of discussion.

ACADEMIC FREEDOM AND FREE SPEECH AT EASTERN ILLINOIS UNIVERSITY

EVENT TIME LINES:

NOVEMBER 2003

State officials and Employees Ethics Act goes in effect. Includes prohibit political activities.

FALL 2004

U of Illinois bans attendance by faculty and staff at political rallies. Also bans political bumper stickers and candidate buttons on all three campuses.

FALL 2009

Public Acts 96-0147 and 96-0148 go in effect allowing faculty and staff to attend rallies, speak to state and federal legislators on matters of public or private concern. Bumper stickers and political buttons allowed.

OCTOBER 26, 2009

Robert Miller, General Counsel at Eastern Illinois University responds to EIU Trustee Leo Welch request to incorporate these Acts into EIU Board of Trustees Governing Policies. He selects the academic freedom statement for addition of the statutory language.

NOVEMBER 20, 2009

Amended academic freedom statement presented as a First Reading by Board Policy and Regulations Chair, Leo Welch. Trustee Robert Webb speaks against the amendment.

NOVEMBER 20, 2009

John Pommier, Faculty Senate President and John Allison President of the EIU chapter of University Professionals are contacted by Welch and asks for support on the amendment.

JANUARY 11, 2010

John Pommier sends invitation to Webb and Welch to speak to the Senate in regard to the academic freedom amendment. Welch accepts invitation to speak in favor of the amendment. Webb objects to Welch speaking to the amendments unless he is present, but sends a written statement to the Senate objecting to the amendment.

JANUARY 12, 2010

Welch contacts Pommier by phone on the morning of January 12 to inquire about the meeting which is to be held at 2:00 p.m. that day. Pommier asks for a written statement from Welch on the reasons for support of the amendment. Pommier rejects the original invitation to attend the meeting in person.

JANUARY 14, 2010

An e-mail was sent to Eastern Illinois University President, William Perry with copies to Welch and Webb. The senate voted 12-0-2 not to support the amendment.

JANUARY 22, 2010

The regular meeting of the EIU Board of Trustees was held with the Second Reading of the amendment to the Academic Freedom and Responsibility scheduled for a vote. Prior to the vote John Allison, President of the University Professionals of Illinois (AFT-IFT) spoke in favor of the amendment. The board vote was 5-1 in favor of the amendment. Webb was the dissenting vote. One board member was absent.



General Counsel

Welch: Alliances, Trustees, and Presidents

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2102 Blair Hall
600 Lincoln Avenue
Charleston, Illinois 61920-3099

Office: 217-581-7249
Fax: 217-581-7989
www.eiu.edu/~gcounsel

October 26, 2009

Mr. Leo Welch
14 Treetop Lane
O'Fallon, IL 62269

Re: Proposed revision to BOT Governing Policies

Dear Trustee Welch:

Attached is a proposed revision to Article II§D.1 of the Board of Trustees Governing Policies for the purpose of incorporating legislative changes made to 110 ILCS 665, *The Eastern Illinois University Law*, through Public Acts 96-0147 and 96-0148.

I selected Article II§D.1 because there is a connection with the current policy and because the new language seems to qualify as a governing policy as opposed to a regulation. A possible downside to including the new language here is that Article II§D is directed to faculty while the new language applies to faculty and staff.

I am available to continue working on this matter if you have any further direction or requests.

Sincerely,

Robert L. Miller
General Counsel

RLM:mkl
Attachment

"Academic freedom is the freedom to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research and creative expression, and to speak or write without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties and the functioning of the university. Academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest, one is not speaking for the institution."

Adopted in June 2009 by the University of Minnesota Board of Regents



Board of Trustees
600 Lincoln Avenue
Charleston, Illinois 61920-3000

Welch: Alliances, Trustees, and Presidents

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January 6, 2010

The Honorable Chapin Rose, State Representative
1113 Lincoln Avenue
Charleston, IL 61920

Dear Chapin:

As Chief Co-Sponsor of both HB 0898 and HB 0899 I would like to personally thank you for your effort in supporting free speech for faculty and staff of public colleges and universities in Illinois.

As chairman of the Eastern Illinois University Board of Trustees Regulations committee I have introduced a revision to Article II D.I of the board of Trustees Governing Policies.

The policy is entitled Academic Freedom and Responsibility issued previously on January 16, 1996. (attached)

The rationale for revising the policy is to incorporate legislative changes made to 110 ILCS 665. The Eastern Illinois University Law, through Public Acts 97-0147 and 96-0148. (attached)

Article II D.I was selected because there is a connection with the current policy and because the new language appears to qualify as a governing policy as opposed to a regulation.

This revision was introduced as a First Reading at the November 20, 2009 meeting of the Eastern Illinois Board of Trustees on the campus in Charleston, Illinois.

The Second Reading is scheduled for January 22, 2010 for possible approval.

I would very much appreciate your review and comments regarding this policy revision. Hopefully I could also receive a letter of support prior to the January 22nd Board of Trustees meeting. Please do not hesitate to contact me if you have questions.

Sincerely,

Leo Welch
Vice Chair, Board of Trustees
Chair, Board of Trustees Regulatory Committee
(618) 632-0079
lkwelch@compu-type.net

Welch, Leo

From: John Pommier [jhpommier@eiu.edu]
Sent: Monday, January 11, 2010 12:42 PM
To: Welch, Leo; Rwebb70@consolidated.net
Cc: dvangunten@eiu.edu; 'Jonathan Coit'
Subject: Invitation to Faculty Senate
Attachments: VPAA_20091216_121418.pdf

Dear Robert Webb and Leo Welch,

As mentioned at the December Board Meeting at EIU in December, the Faculty Senate would be honored to have members of the Board of Trustees attend a Faculty Senate session this Spring. If you have a discussion topic you would like to address or desire to explain how the Board of Trustees function within the University system, we would enjoy having you as our guest. We meet every other Tuesday from 2:00 until 4:00 pm in Booth 4440, starting on January 12th. I forwarded the Revision to the Board Governing Policy: II.D. to the Faculty Senate for discussion (attachment). I hope we will be able to address this matter at tomorrow's session. I hope to hear that you are able to attend one of our sessions.

Enjoy your Monday,

John Henry Pommier
Faculty Senate, Chair

Welch, Leo

From: John Pommier [jhpommier@eiu.edu]
Sent: Thursday, January 14, 2010 2:12 PM
To: wlperry@eiu.edu
Cc: 'Lord, Blair M.'; Welch, Leo; 'Robert Webb'; dvangunten@eiu.edu; 'Jonathan Coit'
Subject: Board Governing Policy Article II. D.: Academic Freedom and Responsibility

Dr. Perry,

After receiving communications from Board of Trustees Leo Welch and Robert Webb, the Faculty Senate discussed the proposed revision related to Board Governing Policy Article II. D.: Academic Freedom and Responsibility at the 12 January 2010 session. A motion to **not** support the amendment was recorded (12-0-2) by the Faculty Senate. From what I perceived from the discussion, it was not the law that the Senators disagreed with but the need to include the language in Board Governing Policy (i.e., there are many laws that pertain to Eastern Illinois University, though it would be impractical to include them all in Board Governing Policy).

Thank you for considering the Faculty Senate's motion,

John Henry Pommier
Faculty Senate, Chair

Dr. Allison: Shall I speak from here? Or the podium? Thank you very much for the opportunity to speak about the proposed amendment to the academic freedom language. My name is John Allison, I'm the UPI-EIU chapter president. My executive committee of UPI has asked me to speak in favor of the proposed language. The reason that we favor the addition of this language is that overzealous applications of the ethics act have created a chilling effect on political speech. Faculty members and others are often over concerned themselves that in some way they might violate the act. My understanding is that at the University of Illinois, where for a time the campus community, the faculty were prohibited from having certain bumper stickers on their vehicles, the university was trying to not run afoul of the ethics act. So, we would be very pleased to have you, the Board, vote in favor of this proposed language. In part, because it would be a helpful guide and reminder for future administrators, future Board members. None of us is in place forever. Additionally, if certain members of the public or interest groups express ire about political statements and activities of our members, UPI members, then the university president, the provost, members of the Board of Trustees can point out that language that is proposed for addition. I believe it would provide a useful clarification. I am aware of a number of instances at, I mentioned University of Illinois, community colleges where overzealous applications of the ethics act have created some difficulties. With the inclusion of the proposed language that's before you now, I think we can greatly reduce the prospect that that would ever happen here at Eastern. Thank you very much again for the opportunity to speak with you. I'm certainly pleased that I made it just in time. There was a bit of a hold up for me, I will not annoy you with the details of that. Glad to be here and I hope you will support this language. Thank you.

D. Academic Freedom and Responsibility.

In adopting the following statements concerning academic freedom and responsibility, the Board affirms that academic freedom should not be abridged or abused and joins the numerous other organizations which have endorsed such principles.

1. Academic Freedom.

Institutions of higher education are conducted for the common good and not to further the interest of either the individual faculty member or the institution as a whole. The common good depends upon the free search for knowledge and truth and its free exposition. Academic freedom is essential to these purposes and applies to teaching, research, and publication. Academic freedom in research is fundamental to the search for knowledge and truth. Academic freedom in teaching is fundamental for the protection of the rights of the faculty member in teaching and of the student to freedom in learning. Academic freedom in publication is fundamental to foster an environment of intellectual curiosity and dialogue. This freedom carries with it duties and responsibilities correlative with these rights.

- a. Faculty members are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- b. Faculty members are entitled to freedom in the classroom in discussing their subjects, but they should be careful not to persistently introduce into their teaching controversial matters having no relation to their subject.
- c. College or university faculty members are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as a citizen on matters of public concern they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As a person of learning and an educational officer, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should indicate that they are not institutional spokespersons.
- d. In accordance with 110 ILCS 665/10-140, all faculty and staff members are free to communicate views on any matter of public or private concern to any branch of the state or federal government or any member thereof provided that the employee does not represent that he or she speaks for or on behalf of the university unless otherwise authorized. Faculty and staff members may also:
 - i. display political buttons, stickers, or patches provided that such display by faculty members in instructional settings is relevant to the instructional purpose:

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- ii. attend partisan political rallies provided that the faculty or staff member is not on duty; and
- iii. display partisan bumper stickers on his or her vehicle.

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August 1, 2012

Dear Colleagues:

As Chairman of the Board Regulations Committee, I would like to suggest a change in Section I of Board Procedures for Eastern Illinois University, adopted April 21, 1997. A copy of Section I is attached.

Your attention is particularly directed to Subsection F. Board Meetings, Paragraph 3 regarding how individuals are allowed to address the Board. Eastern's Section F. 3 excluding "disputed matters" is very restrictive. The relevant portion of Paragraph 3 states:

Public comment would not be approved on disputed matters that are being addressed in internal university processes such as grievances, student judicial proceedings, pending bids, labor negotiations.

I have examined and compared the public comment policies of eight public universities. That comparison is attached. Eastern's exclusion of certain "disputed matters" is more restrictive than those other universities.

Paragraph 3's restriction on "disputed matters" may be in conflict with Illinois Law. Public Act 91-0715 encourages presentations or public comment at university Board meetings. The statute states:

At each regular and special meeting that is open to the public and employees of the University, members of the public and employees of the University shall be afforded time, subject to reasonable constraints, to make comments to or ask questions of the Board.

Eastern's prohibition of comments on "disputed matters" seems overly restrictive and,

Leo Welch
Board Regulations letter -p.2

in my estimation, violates freedom of speech.

As a university board, we should be open to comments from a variety of constituents, should honor our obligation of transparency, and should support the concept of a marketplace of ideas. I recommend that we modify or remove from Paragraph 3 the sentence concerning "disputed matters." This recommendation in no way reduces my confidence in our President or our Administration. Legitimate differences of opinion do exist, and individuals voicing these opinions should have an opportunity to be heard by the Board.

I would like to place this recommendation on the agenda for the September 21, 2012, Board of Trustees' meeting. Please feel free to contact me with your concerns or questions.

Sincerely,

Leo Welch, Vice Chair

Comparison of Illinois Public Universities Board Policies Regarding Public (comments) Presentations

	Notification Time	Directed to:	Decision Makers	Speaker Identification	Written Summary	Speaking Time	Topics	Prohibited Topics
Chicago State	10 days	President then to Board Secretary	Vote of Board	Required	Not required	Not stated	To be identified	None
Governor's State	5 days	President	President and Board Chair	Required	Not required	Rule of Chair	To be identified	None
Illinois State	72 hours	Assistant to the President	Board Chair	Not Stated	Required	5 minutes or rule of chair	Action items or agenda or other topics	None
Northeastern Illinois	5 working days	President	President and Board Chair	Required	Required	Rule of Chair	To be identified	None
Northern Illinois	24 hours or 45 minutes prior to meeting	President then to Board Parliamentarian	Vote of Board	Required	Not required	5 minutes	To be identified	None
Southern Illinois	14 days	Executive Secretary of Board	Board Chair or President	Required	Not required	5 minutes	To be identified	None
Western Illinois	7 days	President	President and Board Chair	Required	Required	Rule of Chair	To be identified	None
Eastern Illinois	10 days or 3 days on agenda items	President	President and Board Chair	Required	Required	5 minutes or maximum of 20 minutes	To be identified	Disputed matters being addressed internally

Definition of Terms

Notification Time This is the time required by the Board, prior to a meeting, to receive a request to be recognized to speak.

Directed to The request to speak is directed to the appropriate individual. The policies identify the individual by title.

Decision Makers After receiving the request to speak, the decision maker(s) determine if the topic is appropriate. The request may be approved or denied. The person(s) making the request will be informed of the decision.

Speaker Identification Speakers are to be identified by name and various means of contacting the person. In some cases, if they are representing an organization, details of the organization are required.

Written Summary Half of the Boards require a written summary. The assumption is that the others will depend on verbal description of the topic to be addressed.

Speaking Time The only common time limit for speaking time is five minutes. The assumption would be that the Board Chair could extend the time if deemed appropriate.

Topics In all cases the topic to be addressed must be stated. It is assumed that permission to speak or not will be based on the specifics of the topic.

Prohibited Topics No policy prohibits topics, with the exception of the Board Policy at Eastern Illinois University. The assumption would be that topics subject to an executive session would not be addressed in an open meeting.

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Regulations

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SECTION I. Board Procedures

Issued: April 21, 1997

A. Board of Trustees

The Board of Trustees of Eastern Illinois University ("the Board") is a body corporate and politic of the State of Illinois created to operate, manage, control, and maintain Eastern Illinois University ("the University").

B. Board Regulations

Board Regulations are general statements of policy or procedure adopted by the Board concerning the conduct and operation of the Board or the University under its jurisdiction within the framework of the Board's Governing Policies. Guidelines, policies, or other Board actions directed to specific situations are not to be construed as Board Regulations.

C. Adoption, Amendment, or Repeal of Board Regulations

1. Board Regulations may be adopted, amended, or repealed at any regular meeting of the Board by a majority vote of the voting membership of the Board. Requests for the adoption, amendment, or repeal of Board Regulations shall be submitted to the Chairperson, who shall notify the Board of such requests. Except as specified in paragraphs 3. and 4. below, the adoption, amendment, or repeal of Board Regulations shall occur only after a proposal for adoption, amendment, or repeal has been presented to the Board for first reading.
2. Board action on the proposal shall not be taken earlier than the next regular meeting following first reading, except as provided in paragraphs 3. and 4. below. Whenever practicable, such notices shall occur fifteen (15) days prior to the meeting at which action is taken. No less than (10) days prior to the Board meeting at which action is to be taken, members of the faculty, staff, and student body may submit their views and comments in writing, via a written correspondence or email, to the Chairperson for distribution to the Board together with a recommendation for action on the proposal. Public comment at any Board meeting at which action is taken that is consistent with Board Regulations and the Illinois Open Meetings Act, 5 ILCS 120/1, et seq., shall be permitted.
3. The President is authorized to make non-substantive amendments to the Board Regulations as may be necessary for such purposes as name or title changes, correcting typographical errors and cross-references, and updating citations.
4. When justified by timing considerations or the nature of the subject matter, proposals for adoption, amendment, or repeal of Board Regulations may be acted upon by the Board at the time of first reading.
5. Subject to approval of the Board, interpretations of Board Regulations shall be issued in writing by the President upon request of Board members or upon the President's own initiative.

D. Compilation of Bylaws, Governing Policies, and Regulations

The President shall maintain an official written compilation of the Board's Bylaws, Governing Policies, and Regulations and shall provide copies to Board members. Copies shall be: (1) distributed to appropriate staff and student body officers of the University, (2) placed in the university library; and (3) posted on the University's official website for use by interested persons. The written compilation maintained by the President is the only official version of the Board's Bylaws, Governing Policies, and Regulations and shall be the final authority on all questions.

E. Delegation of Authority

1. The authority delegated by the Board Regulations to the President may be further delegated in writing by the President to appropriate and responsible officials of the University.
2. The President shall identify by position the persons authorized to act in his/her place in the event of absence from the office of more than a week or other unavailability. The President shall notify the Board in writing, via a written correspondence or email, of such delegation of authority.

F. Board Meetings

1. Agenda

The President, in consultation with the Chairperson of the Board, shall develop an agenda prior to each Board meeting. The President shall distribute meeting materials, via mail or email, to Board members and other appropriate parties at least seven (7) working days prior to the next scheduled meeting. Distribution of meeting materials may be subject to reasonable limitations in the case of special or emergency meetings.

2. Reports

The President shall develop a format and schedule for reports to the Board. Items presented to the Board shall be submitted either for action or information. Each item presented for action shall be accompanied by an appropriate resolution or recommendation to provide a clear record of the action taken by the Board.

3. Presentations

At the end of each Board meeting, a period of time shall be set-aside for public comment. Any individual desiring to address the Board shall be allowed up to five (5) minutes for comments or questions. Only one (1) person may speak on behalf of an organization. Public comment would not be approved on disputed matters that are being addressed in internal university processes such as grievances, student judicial proceedings, pending bids, labor negotiations. The Board of Trustees in its discretion may allow public comment on matters deemed appropriate.

The following procedures shall be followed:

- a. Persons desiring to address the Board on other than current agenda items shall submit a signed written request to the President at least ten (10) calendar days prior to the Board meeting
 1. The request shall include: (1) the name; (2) phone number and/or email address; (3) mailing address of the person wishing to speak; (4) the name of the group represented; and (5) a summary of the presentation.
 2. The President and the Chairperson shall consult with respect to each request to address the Board.
 3. At least three (3) calendar days before the meeting, the President shall indicate to each person properly submitting a request to address the Board whether the request shall be granted or denied.
 4. If the request is granted, the form and duration of the presentations shall be subject to rulings of the Chairperson.
- b. Persons desiring to address the Board on current agenda items shall submit: (1) their name; (2) phone number and/or email address; (3) mailing address; (4) name of group represented; and (5) the topic to be addressed to the Board Chairperson prior to the time allotted for public comment.
- c. Because of heavy demands on the Board, the total time for presentations shall be limited to twenty (20) minutes unless the Board moves for and approves a longer period. Persons wishing to address the Board, but are unable to do so, may submit a signed written statement, including their phone number and/or email address, to the Board.

4. Recording of Meetings

Any person may record by tape, film, or other means the meetings of the Board or its committees required to be open by Illinois law, provided that, if the recording process interferes with the overall decorum and proceeding of a meeting, such recording shall be discontinued at the request of the Chairperson or other presiding officer.

5. Publication of Proceedings

A report of the Board proceedings shall be published for each fiscal year, and shall be placed in the university library and posted on the University's official website for use by interested persons.

matters except those involving faculty tenure, faculty promotion or any issue on which the student member has a direct conflict of interest. A student member who is not entitled to vote on a measure at a meeting of the Board or any of its committees shall not be considered a member for the purpose of determining whether a quorum is present at the time that measure is voted upon. No action of the Board shall be invalidated by reason of any vacancies on the Board, or by reason of any failure to select a student member.

Special meetings of the Board may be called by the chairman of the Board or by any 3 members of the Board.

At each regular and special meeting that is open to the public, members of the public and employees of the University shall be afforded time, subject to reasonable constraints, to make comments to or ask questions of the Board.

(Source: P.A. 90-630, eff. 7-24-98.)

Section 15. The Chicago State University Law is amended by changing Section 5-25 as follows:

(110 ILCS 660/5-25)

Sec. 5-25. Officers; meetings. Members of the Board shall elect annually by secret ballot from their own number a chairman who shall preside over meetings of the Board and a secretary.

Meetings of the Board shall be held at least once each quarter on the campus of Chicago State University at Chicago, Illinois. At all regular meetings of the Board, a majority of its members shall constitute a quorum. The student member shall have all of the privileges of membership, including the right to make and second motions, to attend executive sessions, and until July 1, 2001 to vote on all Board matters except those involving faculty tenure, faculty promotion or any issue on which the student member has a direct conflict of interest. Unless the student member is entitled to vote on a measure at a meeting of the Board or any of its committees, he or she shall not be considered a member for the purpose of determining whether a quorum is present at the time that measure is voted upon. No action of the Board shall be invalidated by reason of any vacancies on the Board or by reason of any failure to select a student member.

Special meetings of the Board may be called by the chairman of the Board or by any 3 members of the Board.

At each regular and special meeting that is open to the public, members of the public and employees of the University shall be afforded time, subject to reasonable constraints, to make comments to or ask questions of the Board.

(Source: P.A. 89-4, eff. 1-1-96; 90-630, eff. 7-24-98.)

Section 20. The Eastern Illinois University Law is amended by changing Section 10-25 as follows:

(110 ILCS 665/10-25)

Sec. 10-25. Officers; meetings. Members of the Board shall elect annually by secret ballot from their own number a chairman who shall preside over meetings of the Board and a secretary.

Meetings of the Board shall be held at least once each quarter on the campus of Eastern Illinois University at Charleston, Illinois. At all regular meetings of the Board, a

majority of its members shall constitute a quorum. The student member shall have all of the privileges of membership, including the right to make and second motions, to attend executive sessions, and until July 1, 2001 to vote on all Board matters except those involving faculty tenure, faculty promotion or any issue on which the student member has a direct conflict of interest. Unless the student member is entitled to vote on a measure at a meeting of the Board or any of its committees, he or she shall not be considered a member for the purpose of determining whether a quorum is present at the time that measure is voted upon. No action of the Board shall be invalidated by reason of any vacancies on the Board or by reason of any failure to select a student member.

Special meetings of the Board may be called by the chairman of the Board or by any 3 members of the Board.

At each regular and special meeting that is open to the public, members of the public and employees of the University shall be afforded time, subject to reasonable constraints, to make comments to or ask questions of the Board.

(Source: P.A. 89-4, eff. 1-1-96; 90-630, eff. 7-24-98.)

Section 25. The Governors State University Law is amended by changing Section 15-25 as follows:

(110 ILCS 670/15-25)

Sec. 15-25. Officers; meetings. Members of the Board shall elect annually by secret ballot from their own number a chairman who shall preside over meetings of the Board and a secretary.

Meetings of the Board shall be held at least once each quarter on the campus of Governors State University at University Park, Illinois. At all regular meetings of the Board, a majority of its members shall constitute a quorum. The student member shall have all of the privileges of membership, including the right to make and second motions, to attend executive sessions, and until July 1, 2001 to vote on all Board matters except those involving faculty tenure, faculty promotion or any issue on which the student member has a direct conflict of interest. Unless the student member is entitled to vote on a measure at a meeting of the Board or any of its committees, he or she shall not be considered a member for the purpose of determining whether a quorum is present at the time that measure is voted upon. No action of the Board shall be invalidated by reason of any vacancies on the Board or by reason of any failure to select a student member.

Special meetings of the Board may be called by the chairman of the Board or by any 3 members of the Board.

At each regular and special meeting that is open to the public, members of the public and employees of the University shall be afforded time, subject to reasonable constraints, to make comments to or ask questions of the Board.

(Source: P.A. 89-4, eff. 1-1-96; 89-552, eff. 7-26-96; 90-630, eff. 7-24-98.)

Section 30. The Illinois State University Law is amended by changing Section 20-25 as follows:

(110 ILCS 675/20-25)

D. Revision to Board Regulation 1.F.3.Proposed Revision to Board Regulation 1.F.3**3. Presentations**

At each regular and special meeting that is open to the public, members of the public and employees of the university shall be afforded time to make comments or to ask questions of the Board subject to reasonable constraints; however, such comment will not be approved regarding grievances, student judicial proceedings, pending bids, and labor negotiations.

At the end of each Board meeting, a period of time shall be set aside for public comment. Any individual desiring to address the Board shall be allowed up to five (5) minutes for comments or questions. Only one (1) person may speak on behalf of an organization. ~~Public comment would not be approved on disputed matters that are being addressed in internal university processes such as grievances, student judicial proceedings, pending bids, labor negotiations. The Board of Trustees in its discretion may allow public comment on matters deemed appropriate.~~

The Board Chairperson shall have the ability to limit comments if deemed irrelevant, repetitious or disruptive.

The following procedures shall be followed:

- a. Persons desiring to address the Board on other than current agenda items shall submit a signed written request to the President at least ten (10) calendar days prior to the Board meeting
 1. The request shall include: (1) the name; (2) phone number and/or email address; (3) mailing address of the person wishing to speak; (4) the name of the group represented; and (5) a summary of the presentation.
 2. The President and the Chairperson shall consult with respect to each request to address the Board.
 3. At least three (3) calendar days before the meeting, the President shall indicate to each person properly submitting a request to address the Board whether the request shall be granted or denied.
 4. If the request is granted, the form and duration of the presentations shall be subject to rulings of the Chairperson.
- b. Persons desiring to address the Board on current agenda items shall submit: (1) their name; (2) phone number and/or email address; (3) mailing address; (4) name of group represented; and (5) the topic to be addressed to the Board Chairperson prior to the time allotted for public comment.
- c. Because of heavy demands on the Board, the total time for presentations shall be limited to twenty (20) minutes unless the Board moves for and approves a longer period. Persons wishing to address the Board, but are unable to do so, may submit a signed written statement, including their phone number and/or email address, to the Board.